

Title:

People of the Philippines vs. Agapito Quiñanola and Eduardo Escudro (People vs. Quiñanola and Escudro)

Facts:

On March 5, 1994, around 11:30 PM, in Barangay Tangil, Dumanjug, Cebu, 15-year-old Catalina Carciller, along with her cousins Rufo Ginto and Richard Diaz, were on their way home from a dance when they were accosted by the accused-appellants Agapito Quiñanola (“Petoy”) and Eduardo Escudro (“Botiquil”). The two men, armed with guns, identified themselves as members of the New People’s Army and forcibly separated Catalina from her companions. Quiñanola and Escudro proceeded to sexually assault Catalina. Although no extragenital injuries were found and her hymenal orifice was intact, Catalina testified that she felt the sex organ of each man on the lips of her vulva while pushing and movement was made by them.

Quiñanola and Escudro were charged with rape under the Revised Penal Code Article 335, as amended by Republic Act No. 7659. Both men pleaded not guilty and claimed alibi. However, their defenses were not found credible, and both were convicted by the RTC of Cebu City for frustrated rape, as the court did not find conclusive evidence of penetration. This decision was influenced by the previously overturned *People vs. Eriña*, wherein the crime of frustrated rape was recognized. The conviction was appealed, and the case was elevated to the Supreme Court for review.

Issues:

1. Whether the accused-appellants are guilty of the crime of rape.
2. Whether the crime of frustrated rape exists in the Philippine legal system.
3. The credibility of the testimony of the victim and the weight given to rebuttal evidence and the defense of alibi.

Court’s Decision:

1. The Supreme Court found both Agapito Quiñanola and Eduardo Escudro guilty beyond reasonable doubt of two counts of consummated rape. The Court concluded that the crime was deemed consummated at the point of the slightest penetration or contact between the penis and the labia of the female organ.
2. The Court reiterated that, as previously decided in *People vs. Orita*, there is no such crime as frustrated rape in the Philippine legal system. The Supreme Court held that under the Revised Penal Code, rape is consummated by mere penetration, however slight.

3. Regarding the credibility of the victim's testimony, the Supreme Court found that Catalina's detailed and vivid account of the assault was credible. The inconsistencies pointed out by the defense—such as the state of the victim's T-shirt and procedural differences in her affidavit—were deemed insignificant when overshadowed by her straightforward and consistent testimony that conclusively identified the accused as her assailants.

Doctrine:

The Supreme Court established that:

- For rape to be consummated, complete penetration is not essential - any penetration of the female organ by the male organ is sufficient.
- Frustrated rape does not exist under Philippine law since by the time some penetration has occurred, the rape is consummated.
- Positive identification by the victim can negate alibi defense, especially when the accused cannot demonstrate physical impossibility to be at the crime scene.

Class Notes:

- The crime of rape as defined under Article 335 of the Revised Penal Code, as amended, is consummated through mere penetration of the female genital organ by the male genital organ.
- The essence of rape is "carnal knowledge" which does not necessitate full penetration or rupture of the hymen.
- In rape cases, credibility heavily relies on the victim's account, which if consistent and believable, may sustain a conviction even without corroborating evidence.
- Frustrated rape is not recognized in the Philippine legal system as explained in the case of *People vs. Orita* and reasserted in the present case.
- Positive identification of the accused by the victim is sufficient to affirm conviction, even if alibi is presented as a defense, unless it can be shown that it was physically impossible for the accused to be at the scene of the crime.
- A wrong ruling of a lower court that disregards solid jurisprudence (*People vs. Eriña* as a "stray" case) can be corrected on appeal.

Historical Background:

This case emphasizes the significance of jurisprudential history in determining the interpretation of law by affirming that *People vs. Eriña* was an aberration from established jurisprudence concerning the existence of frustrated rape. It also highlights the advancement of legal protections for rape victims through the clarification of legal

principles. The case takes place in the context of the evolving understanding of sexual violence in Philippine society and law, reinforcing the gravity of the offense and the shift towards recognizing and correcting procedural and interpretative mistakes in its adjudication.